

File No. 210920

Committee Item No. \_\_\_\_\_

Board Item No. 39

## COMMITTEE/BOARD OF SUPERVISORS

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Committee: \_\_\_\_\_

Date: \_\_\_\_\_

Board of Supervisors Meeting

Date: October 26, 2021

#### Cmte Board

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#### OTHER

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Prepared by: Lisa Lew

Date: October 22, 2021

Prepared by: \_\_\_\_\_

Date: \_\_\_\_\_

1 [Affirming the Final Environmental Impact Report Certification - 469 Stevenson Street Project]

2

3 **Motion affirming the Planning Commission’s certification of the Final Environmental**  
4 **Impact Report prepared for the proposed 469 Stevenson Street project.**

5

6 WHEREAS, The proposed project would demolish the existing surface parking lot and  
7 construct a new 27-story mixed-use building that is approximately 274 feet tall (with an  
8 additional 10 feet for rooftop mechanical equipment), totaling approximately 535,000 gross  
9 square feet and including 495 rental dwelling units with a dwelling mix of approximately 192  
10 studios, 149 one-bedroom units, 96 two-bedroom units, 50 three-bedroom units, and 8 five-  
11 bedroom units; approximately 4,000 square feet of commercial retail use on the ground floor;  
12 and approximately 25,000 square feet of private and common open space; and

13 WHEREAS, The proposed project would use the Individually Requested State Density  
14 Bonus Program and provide affordable housing units onsite; and

15 WHEREAS, The Project would provide three below-grade parking levels with 166  
16 vehicular parking spaces; 200 class 1 bicycle spaces; two service delivery loading spaces;  
17 one on-site freight loading space located on the ground floor; and twenty-seven class 2  
18 bicycle parking spaces placed along Jessie Street; and

19 WHEREAS, The Project would require 55,850 cubic yards of excavation and is  
20 anticipated to be constructed on a mat foundation; no pile driving or piers are proposed or  
21 required, and Project construction would span approximately 36 months; and

22 WHEREAS, The Project site is a through lot located at 469 Stevenson Street in the  
23 South of Market neighborhood (Assessor’s Parcel Block No. 3704, Lot No. 45), approximately  
24 28,790 square feet (0.66-acre) in size and currently developed as a public surface parking lot  
25 with 176 parking spaces with no existing onsite structures; and

1           WHEREAS, The Planning Department determined that an Environmental Impact  
2 Report (hereinafter "EIR") was required for the proposed Project and provided public notice of  
3 that determination by publication in a newspaper of general circulation on October 2, 2019;  
4 and

5           WHEREAS, The Draft EIR was published on March 11, 2020, and circulated to  
6 governmental agencies and to interested organizations and individuals for a 60-day public  
7 review period that began March 12, 2020, and concluded on May 11, 2020; and

8           WHEREAS, The Planning Commission held a public hearing on the Draft EIR on April  
9 16, 2020; and

10           WHEREAS, The Planning Department prepared a Responses to Comments document  
11 ("RTC") responding to all environmental issues raised in written comments received during the  
12 public comment period and in writing or presented orally at the public hearing for the DEIR,  
13 providing additional analysis and reports that verified and expanded upon the DEIR contents,  
14 and published the RTC on May 26, 2021; and

15           WHEREAS, The comments and revisions addressed in the RTC did not identify new  
16 significant impacts or a substantial increase in the severity of previously identified impacts, nor  
17 did they identify feasible project alternatives or mitigation measures that are considerably  
18 different from those analyzed in the Draft EIR and that the Project sponsor has not agreed to  
19 implement, and no significant new information that would require recirculation of the Draft EIR  
20 under section 21092.1 of the California Environmental Quality Act, California Public  
21 Resources Code, Sections 21000 et seq. ("CEQA") and CEQA Guidelines, Section 15088.5  
22 was identified; and

23           WHEREAS, On July 29, 2021, the Planning Commission, by Motion No. 20963,  
24 certified a Final Environmental Impact Report ("Final EIR") for the proposed Project under the  
25 California Environmental Quality Act ("CEQA"), Public Resources Code, Section 21000 et

1 seq., the CEQA Guidelines, 14 California Code of Regulations, Section 15000 et seq., and  
2 San Francisco Administrative Code, Chapter 31, finding that the Final EIR reflects the  
3 independent judgment and analysis of the City and County of San Francisco, that it is  
4 adequate, accurate and objective, and contains no significant revisions to the Draft EIR; and

5 WHEREAS, By letter to the Clerk of the Board, received by the Clerk's Office on  
6 August 30, 2021, the Brant-Hawley Law Group, on behalf of the Yerba Buena Neighborhood  
7 Consortium ("Appellant"), appealed the Final EIR certification; and

8 WHEREAS, The Planning Department's Environmental Review Officer, by  
9 memorandum to the Clerk of the Board dated September 2, 2021, determined that the appeal  
10 had been timely filed; and

11 WHEREAS, On October 26, 2021, this Board held a duly noticed public hearing to  
12 consider the appeal of the Final EIR certification filed by Appellant and, following the public  
13 hearing, the Board of Supervisors affirmed the Planning Commission's certification of the  
14 Final EIR based on the written record before the Board of Supervisors as well as all of the  
15 testimony at the public hearing in support of and opposed to the appeals; and

16 WHEREAS, The written record and oral testimony in support of and opposed to the  
17 appeal and deliberation of the oral and written testimony at the public hearing before the  
18 Board of Supervisors by all parties and the public in support of and opposed to the appeal of  
19 the Final EIR certification is in the Clerk of the Board of Supervisors File No. 210919 and is  
20 incorporated in this motion as though set forth in its entirety; now therefore be it

21 MOVED, That this Board of Supervisors hereby affirms the decision of the Planning  
22 Commission in its Motion No. 20963 to certify the Final EIR, and finds the Final EIR to be  
23 complete, adequate, and objective and reflecting the independent judgment of the City and in  
24 compliance with CEQA, the CEQA Guidelines, and San Francisco Administrative Code  
25 Chapter 31; and, be it

1           FURTHER MOVED, That the Board of Supervisors finds that based on the whole  
2 record before it there are no substantial project changes, no substantial changes in project  
3 circumstances, and no new information of substantial importance that would change the  
4 conclusions set forth in the Final EIR.

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# Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp  
or meeting date \_\_\_\_\_

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion, or Charter Amendment)
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor  inquires"
- 5. City Attorney request.
- 6. Call File No.  from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No.
- 9. Reactivate File No.
- 10. Question(s) submitted for Mayoral Appearance before the BOS on

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission       Youth Commission       Ethics Commission
- Planning Commission       Building Inspection Commission

**Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative Form.**

**Sponsor(s):**

**Subject:**

**The text is listed below or attached:**

Signature of Sponsoring Supervisor: \_\_\_\_\_

For Clerk's Use Only: